

101

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OFFICE OF THE CLERK
UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA 19106-1790

TELEPHONE
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Harrisburg Clerk of District Court
(District)

Date 10/11/02

Shao v. Cuccia
(Caption)

C. of A. No. 01-4327

Charles Day
(Appellants)

00-cv-1901
(D.C. No.)

Enclosures:

10/11/02 Certified copy of C. of A. Order by the Court/Clerk
(Date)

_____ Released (Record) (Supplemental Record - First - Second - Third)

XXXXX Copy of this form to acknowledge receipt and return to C. of A.

_____ Record not released at this time until appeal(s) closed at No.(s) _____

_____ Please forward Certified List in Lieu of Record to this office.

_____ The certified copy of order issued as the mandate on _____
is recalled.

Dana Moore

Dana Moore (267)-299-4927
Deputy Clerk Telephone Number

Receipt Acknowledge:

(Name)

(Date)

Rev. 3/13/00
Appeals (Certified List in Lieu of Record)

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

August 14, 2002
C-137

No. 01-4327

YAN SHAO

vs.

EDWARD CUCCIA; JOHN/JANE DOE;
LAW OFFICES OF FERRO & CUCCIA; CHARLES DAY

CHARLES DAY, Appellant

(Middle District of Pennsylvania (Harrisburg) D.C. No. 00-cv-01901 SHR)

PRESENT: SCIRICA, AMBRO and GREENBERG, Circuit Judges

- (1) Motion by Appellee Requesting that the Appeal be dismissed with Brief Incorporated.
- (2) Appellee's Motion that the Appeal be dismissed with Brief Incorporated treated as a supplement to the motion to dismiss.
- (3) Appellee's Third Motion that the Appeal be dismissed with Brief Incorporated treated as a second supplement to the motion to dismiss.
- (4) Motion by Appellee for Fees Pursuant to 28 USC 1927 and Rule 38 of the Federal Rules of Appellate Procedure with Brief Incorporated.
- (5) Appellee's Second Motion for Pursuant to 28 USA 1912, 28 USC 1927 and Rule 38 of Appellate Procedure with Brief Incorporated.
- (6) Appellee's Motion for Summary Disposition Pursuant to Local Rule 27.3 and for Fees and Additional Sanctions Pursuant to FRCP Rule 27.

Dana M. Moore
Dana M. Moore 267-299-4927
Case Manager

ORDER

Appellee has filed several motions to dismiss in the above captioned appeal and has requested the imposition of monetary sanctions against appellant, Mr. Charles Day, Esq.

(Continued)

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10/31/02
FILED
HARRISBURG, PA
OCT 17 2002
MARY E. D'ANDREA
Per Deputy Clerk

C-137

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Shao v. Cuccia

C.A. No. 01-4327

ORDER

The motions were apparently served on appellant. Appellant who is proceeding pro se has failed to respond to any of the motions.

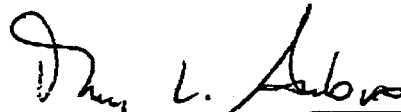
As appellant has failed to prosecute this appeal, abide by the Federal Rules of Appellate Procedure and the Third Circuit Local Appellate Rules, it is hereby ordered that the appeal is dismissed. The Court finds that appellant has unreasonably multiplied the proceedings in this matter and pursuant to 38 U.S.C. Section 1912 and under the Court's inherent authority to manage its docket and cases it is further ordered that monetary sanctions are imposed in the amount of \$250.

A TRUE COPY:



ACTING CLERK

By the Court,



Circuit Judge

Dated: October 11, 2002

DMM/cc: Richard B. Cook, Esq.
Craig T. Trebilcock, Esq.
Charles Day, Esq.